



Docket No. 3869/035 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s)** : HEBBLEWHITE et al  
**Serial No.** : 10/560,963                   **Examiner** : TBA  
**Filed** : December 14, 2005                   **Group Art Unit:** TBA  
**For** : Method and Apparatus for Monitoring Bariatric Parameters and Sleep Disordered Breathing

**Confirmation No. : 2379**

Commissioner for Patents  
Customer Service Center  
Initial Patent Examination Division  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO ISSUE OFFICIAL FILING RECEIPT**

Sir:

Enclosed please find a copy of the Executed Declaration and Power of Attorney for the above-identified patent application. The Declaration claims benefit under Title 35, United States Code, § 119(e) of United States Provisional Application: 60/479,320 filed June 18, 2003.

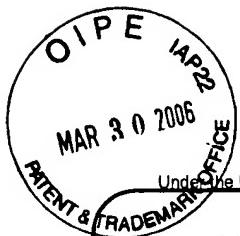
Also enclosed is a Transmittal Form, a Fee Transmittal Form, a Gottlieb Rackman and Reisman check for \$130.00 and a Return Receipt Postcard.

Respectfully submitted  
Gottlieb, Rackman & Reisman, P.C.  
Attorneys for Applicant  
270 Madison Avenue  
New York, N.Y. 10016  
(212) 684-3900

By:

  
Michael I. Rackman  
Registration No. 20,639

Dated: March 28, 2006



PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Attorney Docket Number

3869/035 US

### ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
  - After Final
  - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/ Incomplete Application
  - Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_
- Landscape Table on CD

#### Remarks

Combined Declaration & Power of Attorney (4 sets of 3 pages - 12 pages in total)

- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Gottlieb Rackman & Reisman, PC		
Signature			
Printed name	Michael I. Rackman <i>Michael I. Rackman</i>		
Date	March 28, 2006	Reg. No.	20,639

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

*Susan Piperno*

Typed or printed name

Susan Piperno

Date March 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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